

FLICKER, GARELICK & ASSOCIATES, LLP
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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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:
BLACKWATER SECURITY CONSULTING, LLC and :
FIDELITY & CASUALTY COMPANY OF NEW :
YORK/CNA INTERNATIONAL, :
:
Plaintiffs/Petitioners, : Case No.
: 07-cv-5565 (RJH)
v. : ECF Case
PATRICIA IRBY (on behalf of the minor :
children of STEPHEN S. HELVENSTON, :
deceased), JUNE BATALONA (widow of WESLEY :
BATALONA), and DIRECTOR, OFFICE OF :
WORKERS' COMPENSATION PROGRAMS, UNITED :
STATES DEPARTMENT OF LABOR, :
:
Defendants/Respondents. :
:
-----X

AFFIDAVIT OF SERVICE

Keith L. Flicker, under the penalties of perjury states
as follows:

1. I am an Attorney at Law of the State of New York
admitted to practice before the United States District Court for
the Southern District of New York and am a Partner of the law firm
of Flicker, Garelick & Associates, LLP, attorneys for
Plaintiffs/Petitioners Blackwater Security Consulting, LLC and

Fidelity & Casualty Company of New York/CNA International.

2. On June 11, 2007, I caused to be served, via Federal Express, true and correct copies of the 1) Summons in a Civil Action; 2) Complaint/Petition for Review; 3) Civil Cover Sheet; 4) Rule 7.1 Statement; 5) Individual Practices of Judge Richard J. Holwell; 6) Instructions for Filing an Electronic Case or Appeal; 7) Procedures for Electronic Case Filing; and 8) Guidelines for Electronic Case Filing upon the following:

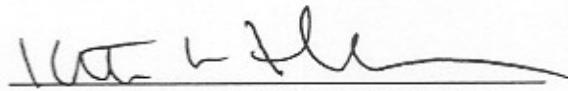
**Attorneys for Defendants/Respondents
Patricia Irby and June Batalona:**

Marc P. Miles, Esq.
Callahan & Blaine, APLC
3 Hutton Centre Drive - Suite 900
Santa Ana, California 92707

**Attorneys for Respondent Director,
Office of Workers' Compensation Programs,
United States Department of Labor:**

Matthew Boyle, Esq.
United States Department of Labor
Office of the Solicitor
200 Constitution Ave., N.W.
Suite N-2117
Washington, D.C. 20210

Dated: New York, New York
July 19, 2007


Keith L. Flicker (KF-6447)

AO 440 (Rev. 8/01) Summons in a Civil Action

UNITED STATES DISTRICT COURT

Southern

District of

New York

Blackwater Security Consulting, LLC and Fidelity
 & Casualty Company of New York/CNA
 International,

V.

Patricia Irby (on behalf of the minor children of
 Stephen S. Helvenston), June Batalona (widow of
 Wesley Batalona), and Director, OWCP, USDOL

SUMMONS IN A CIVIL ACTION

CASE NUMBER:

07 CIV 5565

JUDGE HOLWELL

TO: (Name and address of Defendant)

Patricia Irby; 1208 Treefern Drive; Virginia Beach, Virginia 23451

June Batalona; 43-961 Paauilo-Hui Road; Paauilo, Hawaii 96776

Director, Office of Workers' Compensation Programs, United States
 Department of Labor; Frances Perkins Labor Building; 200 Constitution
 Ave., N.W.; Washington, D.C. 20210

YOU ARE HEREBY SUMMONED and required to serve on PLAINTIFF'S ATTORNEY (name and address)

Keith L. Flicker
 Flicker, Garelick & Associates, LLP
 45 Broadway
 New York, New York 10006

an answer to the complaint which is served on you with this summons, within twenty (20) days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

JUN 11 2007

CLERK

Marcos Quintero

DATE

(By) DEPUTY CLERK